

AO 440 (Rev. 10/93) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of Massachusetts

Diomed, Inc.

V.

New Star Lasers, Inc.
d/b/a CoolTouch Inc.

SUMMONS IN A CIVIL CASE

04 12157 RGS
CASE NUMBER:

TO: (Name and address of Defendant)

New Star Lasers, Inc.
d/b/a CoolTouch Inc.
9085 Foothills Boulevard
Roseville, CA 95747

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Michael A. Albert, Esq.
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.



TONY ANASTAS
CLERK

(By) DEPUTY CLERK

OCT 13 2004

DATE

Wolf Greenfield & Sacks, P.C.
Michael A. Albert, Esq., 558566
600 Atlantic Avenue
Boston, MA 02210-2206

(617) 720-3500

ATTORNEY FOR (Name):

Plaintiff

Ref. No. or File No.

D0610.60004US00

Insert name of court, judicial district or branch court, if any:

None

, CA

PLAINTIFF:

Diomed, Inc.

DEFENDANT:

New Star Lasers, Inc., d/b/a Cool Touch, Inc.

PROOF OF SERVICE

DATE:

TIME:

DEPT. DIV.:

CASE NUMBER:

04cv12157 RGS

UNITED STATES DISTRICT COURT DECLARATION OF SERVICE

I, THE UNDERSIGNED, DECLARE UNDER PENALTY OF PERJURY THAT I WAS ON THE DATE HEREIN REFERRED TO OVER THE AGE OF 18 YEARS AND NOT A PARTY TO THE WITHIN ENTITLED ACTION. I SERVED THE:

Summons; Complaint; Demand For Jury Trial; Corporate Disclosure Statement

ON: New Star Lasers, Inc., d/b/a Cool Touch, Inc.

AT: 9085 Foothills Boulevard
 ROSEVILLE, CA 95747
 (BUSINESS)

IN THE ABOVE MENTIONED ACTION BY DELIVERING TO AND LEAVING WITH:

Dave Hennings - Chief Executive Officer

PHYSICAL DESCRIPTION:

Age: 50 Weight: 180 Hair: Bald
 Sex: M Height: 5'9" Eyes:
 Skin: Cauc.

Marks:

ON: October 15, 2004

AT: 03:35 pm

Fee for Service: \$86.90

Process Server

County: Sacramento

Registration No.: 2000-09

Expiration: January 29, 2006

Legal Photocopy Service - 6

2700 Eureka Way

Redding, CA 96001

(530) 241-7686

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed on **October 19, 2004** at **Redding, California**.

Signature: _____

Kay Reinhart

PROOF OF SERVICE

AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE OCTOBER 15, 2004
NAME OF SERVER (PRINT) KAY REINHART	TITLE REGISTERED CALIFORNIA PROCESS SERVER

Check one box below to indicate appropriate method of service

☒ G Served personally upon the third-party defendant. Place where served: (BUSINESS) 9085 FOOTHILLS BLVD. ROSEVILLE, CA 95747

☐ G Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: _____

☐ G Returned unexecuted: _____

☐ G Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
	\$86.90	\$86.90

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 10-20-04

Date

Signature of Server

KAY REINHART

REGISTRATION # 2000-09

SACRAMENTO, COUNTY

SACRAMENTO, CA 95814 EXP. 1-29-06

Address of Server

2012 "P" STREET, SACRAMENTO, CA 95814
(916) 442-3661

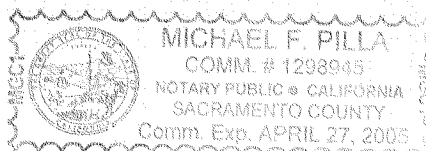
SUBSCRIBED AND SWORN TO BEFORE ME

THIS 20th DAY OF October, 2004

BY

Kay Reinhart

NOTARY PUBLIC



(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

☐ AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE
NAME OF SERVER (PRINT)	TITLE

Check one box below to indicate appropriate method of service

- ☐ G Served personally upon the third-party defendant. Place where served: _____
- ☐ G Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____
- ☐ G Returned unexecuted: _____
- ☐ G Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____
Date

Ray Reinhart
Signature of Server

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.